

EXHIBIT E

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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

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NOTICE OF ORDERS OR JUDGMENTS

Fed. R. Civ. P. 77(d)

Date: 04/05/06

To: Susan E. Burnett
P.O. Box 1148
Austin, TX 78767

Re: Case Number: 1:05-cv-00464

Instrument Number: 89

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LEONARD EDWARD DAVIS, MABEL
MUNSON DAVIS, ROBERT LEE DAVIS,
VERSIE B. DAVIS, KARDERO JAMES
HARRIS, VERSIE LISTER, MINNIE LEE
MOORE, SANDRA MURRAY, ALFRED D.
ROBERSON, JR., MABEL SMITH, GLORIA C.
TOWNSEND, EDDIE B. WASHINGTON,
Plaintiffs,

-vs-

Case No. A-05-CA-464-SS

KOPPERS INDUSTRIES, INC.; THE
BURLINGTON NORTHERN SANTA FE
RAILWAY COMPANY; MONSANTO
COMPANY; THE DOW CHEMICAL
COMPANY; and VULCAN MATERIALS
COMPANY,
Defendants.

ORDER

BE IT REMEMBERED on the 31st day of March 2006, the Court called the above-styled cause for hearing, and the parties appeared through counsel. Before the Court were Defendants' Request For Order to Show Authority [#72], Plaintiffs' Motion for Leave to File Plaintiffs' Response to Defendants' Request For Order to Show Authority [#87], and Defendants' Joint Motion for More Definite Statement and for Entry of a *Lone Pine* Case Management Order [#73]. The Court now confirms its oral announcements with the following written orders:

IT IS ORDERED that Plaintiffs' Motion for Leave to File Plaintiffs' Response to Defendants' Request For Order to Show Authority [#87] is GRANTED.

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IT IS FURTHER ORDERED that Defendants' Request For Order to Show Authority [#72] is GRANTED IN PART and DENIED IN PART. Within fifteen (15) days of the date of the entry of this order, Plaintiffs' counsel shall file documents signed by ten of the individual plaintiffs in this lawsuit establishing counsel's authority to represent each of them.

IT IS FURTHER ORDERED that Defendants' Joint Motion for More Definite Statement and for Entry of a *Lone Pine* Case Management Order [#73] is GRANTED IN PART and DENIED IN PART, without prejudice to the refiling of a motion for entry of a *Lone Pine* Case Management Order at a later date. On or before June 29, 2006, Plaintiffs shall serve on Defendants, but not file with the Court, responses to the following interrogatories (a separate set of responses shall be completed for each individual plaintiff):

- (1) Identify each plaintiff and minor plaintiff by name and age.
- (2) Identify any and all injuries (including personal injuries, injuries to property, and medical or other expenses) for which each plaintiff or minor plaintiff seeks recovery in this suit.
- (3) Identify, with reasonable specificity, the alleged cause of each injury for which each plaintiff and minor plaintiff seeks recovery.
- (4) Identify each defendant each plaintiff and minor plaintiff contends is liable for his or her injuries. If the plaintiff alleges different injuries were caused by different defendants, specify the individual injuries for which each defendant is liable.
- (5) State the amount of damages each plaintiff and minor plaintiff has sustained as a result of each alleged injury.
- (6) Specify whether each plaintiff is seeking recovery on his or her own behalf, is suing in any derivative capacity, or as next friend of any minor.

- (7) Provide each plaintiff and minor plaintiff's current residential address, the address of any property at which the plaintiff or minor plaintiff resided at the time of any injury or exposure to any cause of injury identified in response to interrogatory (2), the name of the owner of any such property, and the dates for all periods of time during which the plaintiff has either owned the property or resided at this address.
- (8) Identify the dates for any period(s) during which you contend the plaintiff and/or the plaintiff's property and/or the minor plaintiff's person were exposed to any chemicals alleged to be responsible for the injuries that were identified in response to interrogatory (2).
- (9) Indicate whether any plaintiff or minor plaintiff has ever been employed by any of the defendants. If so, identify each such defendant by name, and provide the dates of employment.

IT IS FINALLY ORDERED that discovery in this case is STAYED until further order of the Court.

SIGNED this the 3rd day of April 2006.


SAM SPARKS
UNITED STATES DISTRICT JUDGE